

# PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:  
SABRA-ANNE TRUESDALE  
FENWICK & WEST LLP  
801 CALIFORNIA STREET  
MOUNTAIN VIEW, CA 94041

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SEP 15 2008

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## PCT

NOTIFICATION OF TRANSMITTAL OF  
THE INTERNATIONAL SEARCH REPORT AND  
THE WRITTEN OPINION OF THE INTERNATIONAL  
SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Date of mailing  
(day/month/year)

Applicant's or agent's file reference  
10075 PCT

**FOR FURTHER ACTION** See paragraphs 1 and 4 below

International application No.  
PCT/US05/10687

International filing date  
(day/month/year) 30 March 2005 (30.03.2005)

Applicant  
GOOGLE INC.

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

**Filing of amendments and statement under Article 19:**

The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

**When?** The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.

**Where?** Directly to the International Bureau of WIPO, 34 chemin des Colombettes,  
1211 Geneva 20, Switzerland, Facsimile No.: (41-22) 338.82.70.

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. ☐ **With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:**

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the ISA/US

Mail Stop PCT, Attn: ISA/US  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Facsimile No. (571) 273-3201

Authorized officer

Merilyn Nguyen

Telephone No. 571-272-4026

# PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

<b>To:</b> SABRA-ANNE TRUESDALE FENWICK & WEST LLP 801 CALIFORNIA STREET MOUNTAIN VIEW, CA 94041	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> <b>RECEIVED</b>  <b>PATENT DOCKETING</b>    <b>SEP 15 2008</b>    <b>Fenwick &amp; West</b> </div> <div style="margin-top: 20px;"> <b>PCT</b>                  NOTIFICATION OF TRANSMITTAL OF                  THE INTERNATIONAL SEARCH REPORT AND                  THE WRITTEN OPINION OF THE INTERNATIONAL                  SEARCHING AUTHORITY, OR THE DECLARATION                  (PCT Rule 44.1)             </div>		
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">Date of mailing (day/month/year)</td> <td style="width: 50%; padding: 2px; text-align: center;"><b>10 SEP 2008</b></td> </tr> </table>		Date of mailing (day/month/year)	<b>10 SEP 2008</b>
Date of mailing (day/month/year)	<b>10 SEP 2008</b>		
Applicant's or agent's file reference 10075 PCT	<b>FOR FURTHER ACTION</b> See paragraphs 1 and 4 below		
International application No. PCT/US05/10687	International filing date (day/month/year) 30 March 2005 (30.03.2005)		
Applicant GOOGLE INC.			

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The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

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1211 Geneva 20, Switzerland, Facsimile No.: (41-22) 338.82.70.

**For more detailed instructions**, see the notes on the accompanying sheet.

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3. ☐ **With regard to the protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
- ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
- ☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

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In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the ISA/US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201	Authorized officer Merilyn Nguyen Telephone No. 571-272-4026
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# PATENT COOPERATION TREATY

# PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 10075 PCT	<b>FOR FURTHER ACTION</b> <div style="display: inline-block; width: 60%; text-align: right; font-size: small;">see Form PCT/ISA/220 as well as, where applicable, item 5 below</div>	
International application No. PCT/US05/10687	International filing date ( <i>day/month/year</i> ) 30 March 2005 (30.03.2005)	(Earliest) Priority Date ( <i>day/month/year</i> ) 31 March 2004 (31.03.2004)
Applicant GOOGLE INC.		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 3 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

**1. Basis of the Report**

a. With regard to the **language**, the international search was carried out on the basis of:



the international application in the language in which it was filed.



a translation of the international application into \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))

b. ☐

With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. ☐

**Certain claims were found unsearchable** (See Box No. II)

3. ☐

**Unity of invention is lacking** (See Box No. III)

4. With regard to the **title**,



the text is approved as submitted by the applicant.



the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,



the text is approved as submitted by the applicant.



the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the **drawings**,

a. the figure of the **drawings** to be published with the abstract is Figure No. 1



as suggested by the applicant.



as selected by this Authority, because the applicant failed to suggest a figure.



as selected by this Authority, because this figure better characterizes the invention.

b. ☐

none of the figures is to be published with the abstract.

# INTERNATIONAL SEARCH REPORT

International application No.

PCT/US05/10687

## Box IV TEXT OF THE ABSTRACT (Continuation of Item 5 of the first sheet)

### NEW ABSTRACT

Methods and systems are provided for configuring event data representing activity within a computer (110), which allows that article to be more readily accessed by a search engine (122). In one embodiment, an event associated with an article is captured (124), wherein the event comprises event data, the event is indexed (130), a related event object is created related to the event, wherein the related event object comprises a set of one or more related events, and the related event object is associated with the one or more related events (140).

# INTERNATIONAL SEARCH REPORT

International application No.

PCT/US05/10687

## A. CLASSIFICATION OF SUBJECT MATTER

IPC: **G06F 7/00**( 2007.01),**17/00**( 2007.01),**17/30**( 2007.01),**3/00**( 2007.01),**9/44**( 2007.01),**9/46**( 2007.01),**13/00**( 2007.01);**G06F 15/16**( 2007.01);**H04K 1/00**( 2007.01);**H04L 9/00**( 2007.01)

USPC: 707/1,3,100,102,103R,104.1;709/203,206;726/1;719/318

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)  
U.S. : 707/1,3,100,102,103R,104.1;709/203,206;726/1;719/318

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)  
East

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X --- Y	US 2003/0041112 A1(Tada et al) 27 February 2003 (27.02.2003), paragraphs [0064],[0068-0069], [0075], [0085], Figures 1.2, 17, 24-25, 27	1-9,11-14,16-22,28-36,38,41,43,49,55 ----- 10,15,23-27,37,42,50-54
Y	US 2002/0059425 A1 (Belfiore et al.) 16 May 2002 (16.05.2002), paragraph [0020]	10,15,37,42
Y	US 2002/0178383 A1 (Hrabik et al) 28 November 2002 (28.11.2002), pararagraph [0056]	23-25,50-52
Y	US 6,393,438 B1 (Kathrow et al.) 21 May 2001 (21.05.2001), column 10, lines 43-67	26-27,53-54

☐ Further documents are listed in the continuation of Box C.

☐ See patent family annex.

\* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T"

later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X"

document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y"

document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&"

document member of the same patent family

Date of the actual completion of the international search

11 December 2006 (11.12.2006)

Date of mailing of the international search report

10 SEP 2008

Name and mailing address of the ISA/US

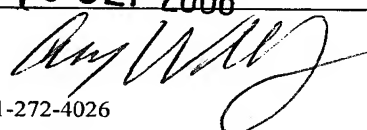
Mail Stop PCT, Attn: ISA/US  
Commissioner for Patents  
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Alexandria, Virginia 22313-1450

Facsimile No. (571) 273-3201

Authorized officer

Merilyn Nguyen

Telephone No. 571-272-4026



# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:  
SABRA-ANNE TRUESDALE  
FENWICK & WEST LLP  
801 CALIFORNIA STREET  
MOUNTAIN VIEW, CA 94041

# PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Applicant's or agent's file reference 10075 PCT		Date of mailing (day/month/year) <b>10 SEP 2008</b>
<b>FOR FURTHER ACTION</b> See paragraph 2 below		
International application No. PCT/US05/10687	International filing date (day/month/year) 30 March 2005 (30.03.2005)	Priority date (day/month/year) 31 March 2004 (31.03.2004)
International Patent Classification (IPC) or both national classification and IPC IPC: Please See Continuation Sheet USPC: 707/1,3,100,102,103R,104.1;709/203,206;726/1;719/318		
Applicant GOOGLE INC.		

1. This opinion contains indications relating to the following items:

- |                                     |              |  |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I    | Basis of the opinion   |
| <input type="checkbox"/>            | Box No. II   | Priority   |
| <input type="checkbox"/>            | Box No. III  | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability   |
| <input type="checkbox"/>            | Box No. IV   | Lack of unity of invention   |
| <input checked="" type="checkbox"/> | Box No. V    | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/>            | Box No. VI   | Certain documents cited  |
| <input checked="" type="checkbox"/> | Box No. VII  | Certain defects in the international application   |
| <input checked="" type="checkbox"/> | Box No. VIII | Certain observations on the international application  |

## 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201	Date of completion of this opinion 25 August 2008 (25.08.2008)	Authorized officer Marilyn Nguyen Telephone No. 571-272-4026
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**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/US05/10687

**Box No. I Basis of this opinion**

1. With regard to the **language**, this opinion has been established on the basis of:

- ☒ the international application in the language in which it was filed
- ☐ a translation of the international application into \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing
- ☐ table(s) related to the sequence listing

b. format of material

- ☐ on paper
- ☐ in electronic form

c. time of filing/furnishing

- ☐ contained in the international application as filed.
- ☐ filed together with the international application in electronic form.
- ☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/US05/10687

**Box No. VII Certain defects in the international application**

The following defects in the form or contents of the international application have been noted:

The description is objected to as containing the following defect(s) under PCT Rule 66.2(a)(iii) in the form or contents thereof: status of copending application must be updated at page 1, line 13 of the specification.

Appropriate correction is required.



**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/US05/10687

**Box No. VIII    Certain observations on the international application**

The following observations on the clarity of the claims, description, and drawings or on the questions whether the claims are fully supported by the description, are made:

Claims 1, 28 and 55 are objected to under PCT Rule 66.2(a)(v) as lacking clarity under PCT Article 6 because claims are indefinite for the following reason(s):

Regarding claims 1, 28 and 55, the claims are being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: the limitation of "indexing the event" does not related to the other limitations in the claim. It's unclear how the index is used in order to product useful and practical application.

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/US05/10687

**Supplemental Box**

In case the space in any of the preceding boxes is not sufficient.

Continuation of IPC:

G06F 7/00( 2007.01),17/00( 2007.01),17/30( 2007.01),3/00( 2007.01),9/44( 2007.01),9/46( 2007.01),13/00( 2007.01);G06F 15/16( 2007.01);H04K 1/00( 2007.01);H04L 9/00( 2007.01)

**V. 2. Citations and Explanations:**

Claims 1-9, 11-14, 16-22, 28-36, 38-41, 43-49 and 55 lack novelty under PCT Article 33(2) as being anticipated by Tada (US 2003/0041112).

Regarding claims 1 and 28, Tada discloses a method and a computer-readable medium containing program code, comprising: capturing an event associated with an article (task history 1, Fig. 2), wherein the event comprises event data (Mail history 1, Fig. 2); indexing the event (See Fig. 17, and paragraph [0068]); creating a related event object related to the event (See paragraph [0064]), wherein the related event object comprises a set of one or more related events (See paragraph [0069]) and associating the related event object and the one or more related events (See paragraph [0069]).

Regarding claims 2 and 29, Tada further discloses storing the related event object and storing at least a portion of the event data (See paragraph [0068]).

Regarding claims 3 and 30, Tada discloses wherein the related event object is stored at a first location within a data store (See paragraph [0068]).

Regarding claims 4 and 31, Tada discloses wherein at least a portion of the event data is stored at a second location within the data store (See paragraph [0068]).

Regarding claims 5 and 32, Tada discloses wherein the event is captured in real-time and indexing the event occurs close in time to capturing the event (See paragraph [0068]).

Regarding claims 6 and 33, Tada discloses wherein the event is a historical event and indexing the event is delayed in time after occurrence of the event (See paragraph [0068]).

Regarding claims 7 and 34, Tada discloses wherein the article is associated with a client application (See paragraph [0085]) and the related event object comprises a list of different events associated with the article (See paragraph [0085]).

Regarding claims 8 and 35, Tada discloses wherein the article comprises a web page and the related event object comprises a list of events comprising accesses to a URL for the web page (See Fig. 1).

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/US05/10687

**Supplemental Box**

In case the space in any of the preceding boxes is not sufficient.

Regarding claims 9 and 36, Tada discloses wherein the article comprises an email message and the related event object comprises a list of events comprising email messages in an email thread (See Figs. 24, 25).

Regarding claims 11 and 38, Tada discloses wherein the article comprises a word processing document and the related event object comprises a list of events comprising at least some of load, save and print events associated with the word processing file (See Fig. 24).

Regarding claims 12 and 39, Tada further discloses creating a second level related event object comprising a set of one or more related event objects; and providing a pointer between the second level related event object and the one or more related events objects (See Fig. 26, "view list of attachments in task history").

Regarding claims 13 and 40, Tada discloses wherein the article is associated with a client application and the related event object comprises a list of different events associated with the article, and the second level related event object comprises a list of related event objects comprising articles associated with the client application associated with a specific directory. Please see Fig. 27.

Regarding claims 14 and 41, Tada discloses wherein the article comprises a web page and the related event object comprises accesses to a URL for the web page associated with a website, and the second level related event object comprises a list of related events objects comprising accesses to URLs associated with the website (See Fig. 24).

Regarding claims 16 and 43, Tada discloses wherein the first location within the data store comprises a database (See database 1040, Fig. 27).

Regarding claims 17 and 44, Tada discloses wherein the second location within the data store comprises a repository (See database 1040, Fig. 27).

Regarding claims 18 and 45, Tada discloses after creating the related event object: capturing at least one second event associated with the article; indexing the second event; determining that the second event relates to the related event object; creating a pointer between the second event and related event object; and updating the related event object to record the second event. Please see paragraphs [0068-0069].

Regarding claims 19 and 46, Tada discloses wherein the at least one second event comprises a plurality of second events, the method further comprising: serially repeating the steps of capturing, indexing, determining, creating and updating for each additional second event. Please see paragraphs [0068-0069].

Regarding claims 20 and 47, Tada discloses receiving a search query; retrieving events relevant to the search query; retrieving related event objects having related event object data for the relevant events; and ranking the relevant events based at least in part on the event data and the related event object data. Please see paragraph [0075].

Regarding claims 21 and 48, Tada discloses receiving a search query; retrieving events relevant to the search query; retrieving related event objects having related event object data for the relevant; and outputting the relevant events based at least in part on the event data and the related event object data. Please see paragraph [0075].

Regarding claims 22 and 49, Tada discloses receiving updated event data for the event and associating the updated event data with the event (See paragraph [0068]).

Regarding claim 55, Tada discloses all the subject matter as addressed above, thus rejected at the same ground.

Claims 10, 15, 37 and 42 lack an inventive step under PCT Article 33(3) as being obvious over Tada (US 2003/0041112), in view of Belfiore (US 2002/0059425).

Regarding claims 10 and 37, Tada discloses all the claimed subject matter as set forth above. However, Tada is silent as to disclose wherein the article comprises an instant messenger message and the related event object comprises a list of events comprising instant messenger messages in a conversation. Belfiore teaches wherein the article comprises an instant messenger message and the related event object comprises a list of events comprising instant messenger messages in a conversation (See page 2, paragraph [0020], Belfiore et al.). The Examiner notes that these limitations are not functionally involved in the steps or elements of the recited. Therefore these limitations are deemed to be nonfunctional descriptive material. The steps of method would be performed the same regardless of what type of articles. Thus this nonfunctional descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994) also see MPEP 2106. .). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to place email message as one of articles and list of events comprising email messages because such type of article does not functionally relate to the elements of the claimed system and because the subjective interpretation of different types of articles

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/US05/10687

**Supplemental Box**

In case the space in any of the preceding boxes is not sufficient.

does not patentably distinguish the claimed invention.

Regarding claims 15 and 42, Tada/Belfiore discloses wherein the article comprises an instant messenger message and the related event object comprises a list of events comprising instant messenger messages in a conversation, and the second level related events object comprises a list of related event objects comprising instant message conversations associated with a particular user as addressed above in claim 10.

Claims 23-25 and 50-52 lack an inventive step under PCT Article 33(3) as being obvious over Tada (US 2003/0041112), in view of of Hrabik (US 2002/0178383).

Regarding claims 23 and 50, Tada discloses all the claimed subject matter as set forth above. However, Tada is silent as to a fingerprint of the event data is computed. On the other hand, Hrabik teaches a fingerprint of the event is computed (See 514, "database of event "fingerprints" and paragraph [0056], Hrabik et al.). It would have been obvious to one having ordinary skill in the art at the time of the invention was made to create a fingerprint for the event data. The motivation would have been to consolidate security of event based on analyzing the event data collected by the collection engine (See paragraph [0056], Hrabik et al.).

Regarding claims 24 and 51, Tada/Hrabik discloses wherein the fingerprint is computed by analyzing text associated with the event (See [0056], Hrabik et al.).

Regarding claims 25 and 52, Tada/Hrabik discloses wherein the fingerprint is computed by analyzing a location and time associated with the event (See [0056], Hrabik et al.).

Claims 26-27 and 53-54 lack an inventive step under PCT Article 33(3) as being obvious over Tada (US 2003/0041112), in view of Hrabik (US 2002/0178383), and further in view of Kathrow (US 6,393,438).

Regarding claims 26 and 53, Tada/Hrabik discloses all the claimed subject matter as set forth above. However, Tada/Hrabik is silent as to wherein the fingerprint is used to determine if the event is a duplicate event that has already been indexed. Kathrow, on the other hand, teaches comparing the fingerprints of files to find the duplicate blocks (See column 10, lines 43-67, Kathrow et al.). Although Kathrow system uses fingerprint to determine duplicate blocks of files, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to apply Kathrow fingerprint feature on detecting duplicate event of Tada/Hrabik system because the event itself broadly considered as file or document. The motivation would have been to eliminate duplicate events so that processing event faster and less time consumed.

Regarding claims 27 and 54, Tada/Hrabik/Kathrow discloses the event is not indexed if the event is determined to be a duplicate event and access statistics associated with the related event object are updated as Kathrow teaches duplicate document is discarded from uploading (See column 10, lines 43-67, Kathrow et al.).

## NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under Article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the *PCT Applicant's Guide*, a publication of WIPO.

In these Notes, "Article," "Rule" and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions, respectively.

### INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report and the written opinion of the International Searching Authority, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only (see *PCT Applicant's Guide*, Volume I/A, Annexes B1 and B2).

The attention of the applicant is drawn to the fact that amendments to the claims under Article 19 are not allowed where the International Searching Authority has declared, under Article 17(2), that no international search report would be established (see *PCT Applicant's Guide*, Volume I/A, paragraph 296).

#### What parts of the international application may be amended ?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Preliminary Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

**When ?** Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

#### Where not to file the amendments ?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

**How ?** Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Section 205(b)).

**The amendments must be made in the language in which the international application is to be published.**

#### What documents must/may accompany the amendments ?

##### **Letter (Section 205(b)):**

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

**The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.**

## NOTES TO FORM PCT/ISA/220 (continued)

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

**The following examples illustrate the manner in which amendments must be explained in the accompanying letter:**

1. [Where originally there were 48 claims and after amendment of some claims there are 51]:  
"Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
2. [Where originally there were 15 claims and after amendment of all claims there are 11]:  
"Claims 1 to 15 replaced by amended claims 1 to 11."
3. [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:  
"Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or  
"Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
4. [Where various kinds of amendments are made]:  
"Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

### **"Statement under Article 19(1)" (Rule 46.4)**

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

**It must be in the language in which the international application is to be published.**

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

### **Consequence if a demand for international preliminary examination has already been filed**

If, at the time of filing any amendments and any accompanying statement, under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the time of filing the amendments (and any statement) with the International Bureau, also file with the International Preliminary Examining Authority a copy of such amendments (and of any statement) and, where required, a translation of such amendments for the procedure before that Authority (see Rules 55.3(a) and 62.2, first sentence). For further information, see the Notes to the demand form (PCT/IPEA/401).

If a demand for international preliminary examination is made, the written opinion of the International Searching Authority will, except in certain cases where the International Preliminary Examining Authority did not act as International Searching Authority and where it has notified the International Bureau under Rule 66.1bis(b), be considered to be a written opinion of the International Preliminary Examining Authority. If a demand is made, the applicant may submit to the International Preliminary Examining Authority a reply to the written opinion together, where appropriate, with amendments before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later (Rule 43bis.1(c)).

### **Consequence with regard to translation of the international application for entry into the national phase**

The applicant's attention is drawn to the fact that, upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see the *PCT Applicant's Guide*, Volume II.